

## Agricultural Marketing Service, USDA

## § 946.25

### § 946.12 Seed potatoes.

*Seed potatoes* means and includes all potatoes officially certified and tagged, marked or otherwise appropriately identified under the supervision of the official seed potato certifying agency of the State of Washington or other seed certification agencies which the Secretary may recognize.

### § 946.13 Grade and size.

*Grade* means any one of the officially established grades of potatoes, and *size* means any one of the officially established sizes of potatoes as defined and set forth in:

(a) The U.S. Standards for Potatoes issued by the U.S. Department of Agriculture (§§ 51.1540 to 51.1566 of this title), or amendments thereto or modifications thereof, or variations based thereon;

(b) U.S. Standards for Grades of Potatoes for Processing as issued by the U.S. Department of Agriculture (§§ 51.3410 to 51.3424 of this title), or amendments thereto, or modifications thereof, or variations based thereon;

(c) U.S. Standards for Grades of Peeled Potatoes (§§ 52.2421 to 52.2433 of this title), or amendments thereto or modifications thereof, or variations based thereon; and

(d) State of Washington Standards for Potatoes issued by the State of Washington Director of Agriculture, or amendments thereto, or modifications thereof, or variations based thereon.

[37 FR 10916, June 1, 1972]

### § 946.14 Grading.

*Grading* is synonymous with *preparing for market* which means the sorting or separating of potatoes into grades and sizes for market purposes.

[37 FR 10916, June 1, 1972]

### § 946.15 Export.

*Export* means shipment of potatoes beyond the boundaries of the 48 contiguous States of the United States, or the District of Columbia.

[37 FR 10916, June 1, 1972]

### § 946.16 District.

*District* means each one of the geographical divisions of the production area established pursuant to § 946.31.

[17 FR 2912, Apr. 4, 1952. Redesignated at 26 FR 12751, Dec. 30, 1961, and 37 FR 10916, June 1, 1972]

## ADMINISTRATIVE COMMITTEE

### § 946.22 Establishment and membership.

The State of Washington Potato Committee consisting of fifteen members, of whom ten shall be producers and five shall be handlers, is hereby established. For each member of the committee there shall be an alternate who shall have the same qualifications as the member.

### § 946.23 Alternate members.

An alternate member of the committee shall act in the place and stead of the member for whom he is an alternate, during such member's absence. In the event of the death, removal, resignation, or disqualification of a member, his alternate shall act for him until a successor of such member is selected and has qualified.

### § 946.24 Procedure.

(a) Nine members of the committee shall be necessary to constitute a quorum and nine concurring votes will be required to pass any motion or approve any committee action.

(b) The committee may provide for meetings by telephone, telegraph, or other means of communication and any vote cast at such a meeting shall be confirmed promptly in writing: *Provided*, That if any assembled meeting is held, all votes shall be cast in person.

### § 946.25 Selection.

(a) Persons selected as committee members or alternates to represent producers shall be individuals who are producers in the respective district for which selected, or officers or employees of a corporate producer in such district.

(b) Persons selected as committee members or alternates to represent handlers shall be individuals who are handlers in the State of Washington, or

## § 946.26

officers or employees of a corporate handler in the aforesaid State, and such persons shall be residents of the State of Washington.

(c) The Secretary shall select committee membership so that, during each fiscal period, each district, as designated in § 946.31, will be represented by two producer members and one handler member, with their respective alternates. *Provided*, That one producer member of the committee from District No. 5, with his respective alternate, shall be a certified seed producer.

[17 FR 2912, Apr. 4, 1952. Redesignated at 26 FR 12751, Dec. 30, 1961, and amended at 37 FR 10916, June 1, 1972; 52 FR 13070, Apr. 21, 1987]

EFFECTIVE DATE NOTE: At 52 FR 13070, Apr. 21, 1987, § 946.25, paragraph (c) was amended by changing the colon to a period and suspending indefinitely the proviso which reads: "Provided, That one producer member of the committee from District No. 5, with his respective alternate, shall be a certified seed producer."

## § 946.26 Acceptance.

Any person selected by the Secretary as a committee member or as an alternate shall qualify by filing a written acceptance with the Secretary within ten days after being notified of such selection.

## § 946.27 Term of office.

(a) The term of office of committee members and alternates shall be for 3 years beginning on the 1st day of July and continuing until their successors are selected and have qualified: *Provided, however*, That the terms of office of the initial committee under the amended order shall be determined by the Secretary so that the terms of office of one-third of the initial members and alternates shall be for 1 year, one-third for 2 years, and one-third for 3 years.

(b) Committee members and alternates shall serve during the term of office for which they are selected and have qualified, or during that portion thereof beginning on the date on which they qualify during the term of office and continuing until the end thereof,

and until their successors are selected and have qualified.

[17 FR 2912, Apr. 4, 1952. Redesignated at 26 FR 12751, Dec. 30, 1961, and amended at 37 FR 10916, June 1, 1972]

## § 946.28 Powers.

The committee shall have the following powers:

(a) To administer the provisions of this subpart in accordance with its terms;

(b) To make rules and regulations to effectuate the terms and provisions of this subpart;

(c) To receive, investigate, and report to the Secretary complaints of violation of the provisions of this subpart; and

(d) To recommend to the Secretary amendments to this subpart.

## § 946.29 Duties.

It shall be the duty of the committee:

(a) At the beginning of each fiscal year, to meet and organize, to select a chairman and such other officers as may be necessary, to select subcommittees of committee members, and to adopt such rules and regulations for the conduct of its business as it may deem advisable;

(b) To act as intermediary between the Secretary and any producer or handler;

(c) To furnish to the Secretary such available information as he may request;

(d) To appoint such employees, agents, and representatives as it may deem necessary and to determine the salaries and define the duties of each such person;

(e) To investigate, from time to time, and to assemble data on the growing, harvesting, shipping, and marketing conditions with respect to potatoes, and to engage in such research and service activities which relate to the handling or marketing of potatoes as may be approved by the Secretary;

(f) To keep minutes, books, and records which clearly reflect all of the acts and transactions of the committee and such minutes, books, and records shall be subject to examination at any time by the Secretary or his authorized agent or representative;

## 7 CFR Ch. IX (1-1-04 Edition)